

APPLICANT(S): Jeremy Burr  
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### **REMARKS**

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Office Action and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicant asserts that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

### **Status of Claims**

Claims 1-31 are pending in the application. Claims 1, 6, 12, 13, 19 25 and 26 have been amended

### **CLAIM REJECTIONS**

#### **35 U.S.C. § 103 Rejections**

The Office Action rejected claims 1, 2, 6-11, 14, 17, 19-24, 27 and 30 under 35 U.S.C. § 103(a), as being unpatentable over Haartsen (US 6,026,297) in view of Peters (US 6,601,093).

Applicant believes this rejection has been overcome in view of the amendments made above and the remarks that follow.

Regarding amended independent claim 1 the independent claim includes limitations that are not disclosed or suggested by the combination of Haartsen and Peters.

It is well established that obviousness requires a teaching or a suggestion by the prior art of all the elements of a claim (M.P.E.P. §2142). Without conceding the appropriateness of the combination, Applicant respectfully submits that the combination of Haartsen and Peters does not meet the requirements of an obvious rejection in that

neither of the references disclose or suggests the element of "a synchronization system able to synchronize by utilizing an agreed communication technology to an agreed communication frequency", as claimed in amended claim 1.

Furthermore, Applicant respectfully submits that the combination of Haartsen and Peters does not meet the requirements of an obvious rejection in that neither teaches nor suggests the element of "synchronizing with the second device by utilizing an agreed communication technology to an agreed communication frequency", as provided in amended claims 6 and claim 19.

As discussed above, with regards to amended claims 1, 6 and 19, Haartsen disclosed a unit that must synchronize to the clocks and hopping sequences of units of first and second piconets. The Office Action concedes that Haartsen does not disclose a synchronization unit. Peters does not contain any teaching or suggestion of how to provide an agreed communication technology. Furthermore, Peters does not contain any teaching or suggestion of how the synchronization unit utilized the communication technology to the communication frequency. Therefore, Peters cannot contain any teaching or suggestion of how to utilize the agreed communication technology to the agreed communication frequency.

Since Haartsen and Peters, taken separately, are devoid of any teaching or suggestion of the limitations recited in amended claims 1, 6 and 19, the combination of Haartsen and Peters must necessarily be devoid of the required teaching or suggestion of all the elements recited in amended claims 1, 6 and/or 19. Consequently, the combination cannot make Applicant's claims 1, 6 and/or 19 obvious.

Applicant would like to emphasize that the preceding paragraphs were not intended to attack Haartsen and Peters separately. But instead, Applicant has shown how each is devoid of claimed elements so that, by default, the combination is also devoid of at least some of the features of Applicant's claimed invention.

Applicant notes that claim 2 depends from claim 1, claims 7-11, 14 and 17 depend from claim 6 and claims 20-24, 27 and 30 depend from claim 19. Thus, in addition to any independent bases for patentability, Applicant respectfully submits that claims 2, 7-11, 14, 17, 20-24, 27 and 30 are similarly patentable over the cited references by virtue of at least

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such dependency. Accordingly, Applicant respectfully requests that the rejection of such claims be withdrawn.

In addition, Applicant note that Peters is not cited as curing the deficiencies of Haartsen and does not, in fact, cure such limitations. In this regard, without conceding the appropriateness of the combination, or the characterization of such references vis a vis claims 1,2, 6-11, 14, 17 19-24, 27 and 30, Applicant respectfully submits that the combination of the Haartsen in view of Peters references fail to disclose or suggest that which is claimed in claim 1, 2, 6-11, 14, 17 19-24, 27 and 30. Accordingly, in addition to any independent bases for patentability, respectfully submit that claims 1, 2, 6-11, 14, 17 19-24, 27 and 30 are similarly patentable over the cited references by virtue of at least such dependency.

The Office Action rejectes claims 3-5, 12-13, 18, 25-26 and 31 under 35 U.S.C. § 103(a), as being unpatentable over Haartsen (US 6,026,297) in view of Peters (US 6,601,093) and further in View of Jacquent et al. (US 6,590,891).

Applicant notes that claims 3-5 depends from amended claim 1, claims 12-13 and 18 depend from claim 6 and claims 25-26 and 31 depend from claim 19. Thus, in addition to any independent bases for patentability, Applicant respectfully submits that claims 3-5, 12-13, 18, 25-26 and 31 are similarly patentable over the cited references by virtue of at least such dependency. Accordingly, Applicant respectfully requests that the rejection of such claims be withdrawn.

In addition, Applicant note that Jacquent et al. is not cited as curing the deficiencies of Haartsen and/or Peters, alone and/or in combination, and does not, in fact, cure such limitations. In this regard, without conceding the appropriateness of the combination, or the characterization of such references vis a vis claims 3-5, 12-13, 18, 25-26 and 31, Applicant respectfully submits that the combination of the Haartsen in view of Peters references and further view of Jacquent et al. fail to disclose or suggest that which is claimed in claim 3-5, 12-13, 18, 25-26 and 31. Accordingly, in addition to any independent bases for patentability, respectfully submit that claims 3-5, 12-13, 18, 25-26 and 31 are similarly patentable over the cited references by virtue of at least such dependency.

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In the Office Action, the Examiner rejected 15, 16, 28 and 29 under 35 U.S.C. § 103(a), as being unpatentable over Haartsen (US 6,026,297) in view of Peters (US 6,601,093) as applied to claims 1, 6, and 19 above and further in View of Du et al. (US 6,603,740). Since claims 15, 16, 28 and 29 are dependent directly or indirectly from claims 6 and 19, Applicant respectfully traverses the rejection of claims 15, 16, 28 and 29 under 35 U.S.C. 103(a) in view of the above remarks to claims 1, 6 and 19. Accordingly, Applicant respectfully asserts that the rejections of claims 15, 16, 28 and 29 should be withdrawn.

The Office Action rejects claims 15, 16, 28 and 29 under 35 U.S.C. § 103(a), as being unpatentable over Haartsen (US 6,026,297) in view of Peters (US 6,601,093) and further in View of Du et al. (US 6,603,740).

Applicant notes that claims 15 and 16 depends from amended claim 6 and claims 28-29 depend from claim 19. Thus, in addition to any independent bases for patentability, Applicant respectfully submits that claims 15, 16, 28 and 29 are similarly patentable over the cited references by virtue of at least such dependency. Accordingly, Applicant respectfully requests that the rejection of such claims be withdrawn.

In addition, Applicant note that Du et al. is not cited as curing the deficiencies of Haartsen and/or Peters, alone and/or in combination, and does not, in fact, cure such limitations. In this regard, without conceding the appropriateness of the combination, or the characterization of such references vis a vis claims 15, 16, 28 and 29, Applicant respectfully submits that the combination of the Haartsen in view of Peters references and further view of Du et al. fail to disclose or suggest that which is claimed in claim 15, 16, 28 and 29. Accordingly, in addition to any independent bases for patentability, respectfully submit that claims 15, 16, 28 and 29 are similarly patentable over the cited references by virtue of at least such dependency.

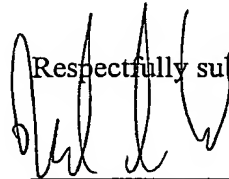
In view of the foregoing remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone

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number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 05-0649..

 Respectfully submitted,

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Dated: May 19, 2004

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